

REMARKS

Applicant has amended all "channel lock" references in the specification to read CHANNELLOCK® pliers; well known in the art.

Claims 1-9, 11-12 and 22-23 are cancelled.

Claim 10 is amended.

Claims 24-28 are added.

Applicant claims adjacent surfaced elongate notches with one notch more elongate than the other and at least one notch having about rectilinear adjacent surfaces, and one of the adjacent surfaces being more distally disposed from the other adjacent surfaces (claim 10). Negus teaches identical elongated notches, which have no contacting engagement functionality. Negus including Fig. 1, teaches inwardly disposed protruding teeth that grippingly engage a surface. The Negus inwardly protruding teeth preclude outwardly disposed notch functionality. Claims 25-28 variously further define the present protrusion free-asymmetrical notch functionality teaching. The Negus notches cannot contactingly engage a locknut protrusion. Negus thus teaches away from the present invention.

Applicant claims about rectilinear surfaces (claims 10 and 23) in first and second notches having an asymmetrical spatial disposition. The first notch adjacent surfaces are disposed distally of the second notch adjacent surfaces. This asymmetrical construction permits rectilinear surface engagement of distally oppositely disposed locknut protrusions. That is, applicant provides and claims

a pivoted asymmetrical disposition of elongated notches having respective about rectilinear surfaces that asymmetrally engage locknut protrusions. The art, namely, Negus and Schaub are directed to protruding teeth constructions, which teeth grippingly engage or protrude into a surface. The prior art teeth protrude inwardly from the jaws to engage a surface. The presently claimed spatial disposition of the respective about rectilinear adjacent surfaces is not disclosed or suggested by the prior art. Indeed, the prior art is directed to protruding teeth for gripping a surface. Gagne has no pivoted jaw construction and of course no asymmetrical construction, and is far removed.

Impermissible hindsight and deconstruction is required to deconstruct the prior art operable protruding teeth constructions. Impermissible hindsight and reconstruction is also required to provide notches having about rectilinear surfaces in a defined spatial disposition for asymmetrical locknut protrusion engagement, as claimed.

Negus teaches the improvement of identical symmetrically disposed angular protruding teeth (see Abstract) over the Negus Fig. 1 prior art part symmetrical protruding teeth. Negus consistently directs one to protruding teeth for gripping a surface. Negus directs one away from the present invention in several respects.

Otherwise stated, applicant claims jaws adjacent surfaces notch construction and spatial disposition, which are free of protruding teeth (see e.g. claims 25-28). The prior art viz. Negus and Schaub disclose and rely on jaws

with inwardly protruding teeth. The protruding teeth are subject to breakage and distortion. Present applicant eliminates the protruding teeth construction, while providing improved torque engagement of locknut protrusions. Elimination of prior art elements with improved functionality defines a patentable invention.

Insofar as none of the references teach or suggest asymmetrically disposed about rectilinear adjacent surfaced elongated notches with consequential elimination of protruding teeth, the relied on combination of the references is neither logically or legally sufficient to frame a Section 103 rejection.

Applicant submits the claims as amended are, without serious, dispute allowable.

An early allowance is respectfully requested.

Respectfully submitted,

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Enclosures: Clean copy of amended pages 2 and 3.